

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Nov 08, 2018**

SEAN F. McAVOY, CLERK

ALEX MCVICKER and MARK  
MOSS, individually and on behalf of  
all others similarly situated,,

Plaintiffs,

v.

GIGA WATT, INC.; GIGAGWATT  
PTE LTD.; CRYPTONOMOS PTE.  
LTD.; DAVE CARLSON; LEONID  
MARKIN; and EDWARD  
KHAPTAKHAEV,

Defendants.

RAYMOND BALESTRA,  
individually and on behalf of all others  
similarly situated,

Plaintiffs,

v.

GIGA WATT, INC.; GIGAGWATT  
PTE LTD.; CRYPTONOMOS PTE.  
LTD.; DAVE CARLSON; LEONID  
MARKIN; and EDWARD  
KHAPTAKHAEV,

Defendants.

No. 2:18-CV-00100-SMJ  
2:18-CV-00103-SMJ

**ORDER GRANTING MOTION  
FOR LEAVE TO WITHDRAW AS  
COUNSEL**

1 Before the Court, without oral argument, is defense counsel's Unopposed  
2 Motion for Leave to Withdraw as Counsel, ECF No. 25. Barry M. Kaplan, Gregory  
3 L. Watts, and Stephanie L. Jensen seek to withdraw as counsel for Defendants Giga  
4 Watt, Inc., Dave Carlson, Giga Watt Pte. Ltd., and Cryptonomos Pte. Ltd.  
5 (collectively, "Defendants").

6 Pursuant to Local Civil Rule 83.2(d)(4), counsel seek an order permitting  
7 them to withdraw as Defendants' counsel of record. Because the requested relief  
8 would result in the termination of one law office and leave Giga Watt Pte. Ltd. and  
9 Cryptonomos Pte. Ltd. unrepresented, leave of the Court is required. *See* LCivR  
10 83.2(d)(4).

11 Counsel seek withdrawal due to Defendants' unpaid invoices for work  
12 performed in connection with the consolidated actions and another matter. ECF No.  
13 25. Counsel have obtained client consent to withdraw, and Plaintiffs do not oppose  
14 the motion. *Id.* Kaplan certifies that a true and correct copy of the motion has been  
15 provided to Plaintiffs via electronic transmission. *Id.* at 5; *see* LCivR 83.2(d)(4).  
16 Having reviewed the file in this matter, the Court finds good cause to grant the  
17 motion.

18 Accordingly, **IT IS HEREBY ORDERED:**


19 **1.** Defense counsel's Unopposed Motion for Leave to Withdraw as  
20 Counsel, **ECF No. 25**, is **GRANTED**.

1           2.     The Clerk's Office is directed to **TERMINATE** Barry M. Kaplan,  
2                 Gregory L. Watts, and Stephanie L. Jensen as counsel for Defendants  
3                 Giga Watt, Inc., Dave Carlson, Giga Watt Pte. Ltd., and Cryptonomos  
4                 Pte. Ltd. from both **case numbers 2:18-CV-00100-SMJ** and **2:18-**  
5                 **CV-00103-SMJ**.

6           3.     Giga Watt Pte. Ltd. and Cryptonomos Pte. Ltd. must obtain new  
7                 counsel prior to filing a responsive pleading, and may not proceed *pro*  
8                 *se*. See *In re Am. W. Airlines*, 40 F.3d 1058, 1059 (9th Cir. 1994)  
9                 ("Corporations and other unincorporated associations must appear in  
10                court through an attorney.").

11           **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and  
12           provide copies to all counsel, Giga Watt Pte. Ltd., and Cryptonomos Pte. Ltd.

13           **DATED** this 8th day of November 2018.

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16                     SALVADOR MENDEZ A, JR.  
17                     United States District Judge  
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